

MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

September 20, 2007 — Agenda Item VI

Resolution No. 07-130

RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY AUTHORIZING ENTERING INTO A PROJECT AGREEMENT WITH THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT USING PROPOSITION A EXCESS FUNDS TO ACQUIRE APN'S 4467-002-042, 4467-003-044, 4467-002-044, AND 4467-002-060 TO IMPLEMENT THE COASTAL SLOPE TRAIL AND ACQUISITION OF THE SUBJECT PARCELS, INCORPORATED AND UNINCORPORATED MALIBU AREA

Resolved, That the Governing Board of the Mountains Recreation and Conservation Authority hereby:

1. FINDS that the subject properties are important for a combination of ecological, recreational, viewshed, and watershed values; and
2. FINDS that the proposed actions are categorically exempt from the provisions of the California Environmental Quality Act; and
3. FINDS that the subject properties are on the Santa Monica Mountains Conservancy's Acquisition Workprogram submitted annually to the Governor; and
4. FINDS that the people of the County of Los Angeles on November 3, 1992 and on November 5, 1996, enacted Los Angeles County Proposition A, Safe Neighborhood Parks, Gang Prevention, Tree-Planting, Senior and Youth Recreation, Beaches and Wildlife Protection (the Proposition), which, among other uses, provides funds to public agencies and nonprofit organizations in the County for the purposes of acquiring and/or developing facilities and open space for public recreation; and
5. FINDS the Santa Monica Mountains Conservancy was awarded funds in the Proposition for acquisition of park and open space land, development of related recreation facilities, and grants pursuant to Division 23 of the Public Resources Code; and
6. FINDS the Proposition also created the Los Angeles County Regional Park and Open Space District (the District) to administer said funds; and

7. FINDS the District has set forth the necessary procedures governing applications for grant funds under the Proposition; and
8. CERTIFIES that it understands the assurances and certifications required for applications; and
9. CERTIFIES that through this resolution the application for the above referenced project is approved for submission to the District; and
10. CERTIFIES that it will be required to provide additional funding for the above project if the requested grant funds are insufficient to complete said project; and
11. CERTIFIES that it understands its obligation to operate and maintain the property in perpetuity, as applicable; and
12. CERTIFIES that it will sign and return, within 30 days, both copies of the Project Agreement sent by the District for authorizing signature; and
13. CERTIFIES that it will cause work on the project to be commenced immediately upon receipt of a fully executed Project Agreement; and
14. CERTIFIES that it agrees and understands that the District may terminate the Project Agreement at any point if it determines that the project cannot be performed as described in the application; and
15. ADOPTS the staff report and recommendation dated September 20, 2007; and
16. ACCEPTS being the assignee of the Santa Monica Mountains Conservancy to carry out all aspects of this application, grant, and project implementation and will be required to enter into a Project Agreement with the District for the performance of the project as described in the application; and
17. AUTHORIZES entering into a Project Agreement to acquire said properties area with the Los Angeles County Regional Park and Open Space District; and
18. AUTHORIZES the filing of an application with the Los Angeles County Regional Park and Open Space District for Excess Funds allocated from the Proposition for the acquisition of the subject property; and

19. AUTHORIZES the Executive Officer, or his designee, to conduct all negotiations, and to execute and submit all documents including, but not limited to, applications, agreements, amendments, payment requests and so forth, which may be necessary for the completion of the project as described in the application; and
20. AUTHORIZES any budget amendments as necessary; and
21. AUTHORIZES the use of Third Supervisorial District Proposition A Excess Funds in an amount not to exceed \$4,700,000 for the acquisition of easement or fee simple interest of subject properties in Malibu; and
22. AUTHORIZES the use of said funds for acquisition of easement or fee simple interest of Assessor's Parcel Numbers (APNs) 4467-002-042, 4467-003-044, 4467-002-044, and 4467-002-060; and
23. AUTHORIZES the Executive Officer to do any and all acts necessary to carry out this resolution and any recommendations made by the Governing Board.

Chair

AYES:

NOS:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was adopted at a special meeting of the Governing Board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 20th day of September, 2007.

Date:

Executive Officer